HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

W.A.No.1283 of 2006

Between

Nadipilli Appala Raju and others ..Appellants

AND

Pilla Yellamma, Vizianagaram district and others ..Respondent

:: JUDGMENT ::

Counsel for the appellants :	Sri P.Venu Gopal for Sri A.Venkata Ramaiah
Counsel for the respondents 1 & 2:	Sri M.Jagannatha Sharma
Counsel for respondents 3 to 5	Government Pleader for Revenue

8.12.2006

Per G.S.Singhvi, CJ

This appeal is directed against order dated 20.11.2006 passed by the learned Single Judge in W.P.M.P.No.22784 of 2006 in W.P.No.18147 of 2006.

We have heard learned counsel for the parties and perused the record including the order dated 22.9.2006 passed by the Division Bench in Writ Appeal No.966 of 2006.

This appeal is directed against order

In our opinion, the order under challenge is liable to be set aside because, while entertaining the prayer made by respondents in W.P.M.P.No.22784 of 2006, the learned Single Judge did not at all advert to the pleadings of the parties and the documents produced by them. Not only this, the learned Single Judge overlooked order dated 22.9.2006 passed by the Division Bench whereby both the parties were directed to maintain status quo. Since, the parties are seriously contesting the matter and there is dispute regarding possession and status of the property in question, the only proper course open to the Court is to direct them to maintain status quo.

For the reasons mentioned above, the appeal is allowed. The impugned order is modified and the parties are directed to maintain status quo in respect of the disputed property, as it is obtaining today.

As a sequel to the disposal of the appeal, W.A.M.P.No.2702 of 2006 filed by the appellants is disposed of as infructuous.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

8.12.06.

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